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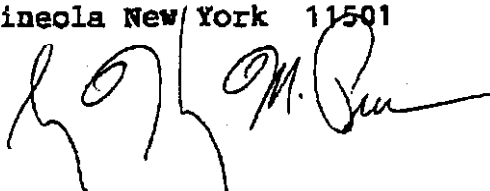
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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

04 CV 5349 (ARR)

HARRIET THOMPSON**Plaintiff,****Index #:****CV 5349 (ARR)****-against-****STIPULATION.****DISCONTINUING ACTION****WITH PREJUDICE****PATHMARK STORES INC.****Defendant.**

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys of record for all the parties to the above-entitled action, that whereas no party hereto is an infant, incompetent person whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of the action, the above-entitled action be, and the same hereby is discontinued with prejudice without costs to either party as against the other due to settlement of this matter. This stipulation may be filed without further notice with the Clerk of the Court.

Dated:
Attorneys for Defendant**Kral Clerk, Edmund Ryan
Perry & Girvan LLP
69 East Jericho Turnpike
Mineola New York 11501**
Attorneys for Plaintiff**Barrell & Riso, L.L.P.
1500 Hylan Boulevard
Staten Island, NY 10305
(718) 667-8600****So Ordered**

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